

Assembly Bill No. 1077

CHAPTER 582

An act to add Section 5006.10 to the Public Resources Code, relating to state parks.

[Approved by Governor October 8, 2011. Filed with
Secretary of State October 8, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1077, Carter. State parks: Colonel Allensworth State Historic Park.

Existing law provides for a state park system of which the Colonel Allensworth State Historic Park in Tulare County is a unit.

This bill would require the Department of Parks and Recreation to notify the State Park and Recreation Commission of any proposed development that may substantially impact the historical, cultural, or recreational significance of the Colonel Allensworth State Historic Park, and would require the commission, upon receipt of that notification to hold a duly noticed public hearing to receive public input regarding the potential impacts of the proposed development on the park. The bill would require the commission, following the public hearing, to submit, in writing, to the department a summary of its conclusions on the potential park impacts that may be caused by the proposed development for transmission by the department to the appropriate local government entities. The bill would also require the department, in consultation with the State Office of Historic Preservation, to study the feasibility of recommending that the park be considered for designation as a National Historic Landmark.

The bill would make legislative findings as to the necessity of a special statute.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The state park system was created for the purposes of preserving outstanding natural, scenic, and cultural values, including areas of historical significance.

(b) The recent centennial of Colonel Allensworth State Historic Park in Tulare County has brought its state and national significance to the forefront.

(c) Given the unique historical and cultural resources present at and around Colonel Allensworth State Historic Park and the unique environmental and geological conditions of the area, a two-and-one-half mile wide buffer from an incompatible use is appropriate.

SEC. 2. Section 5006.10 is added to the Public Resources Code, to read:

5006.10. (a) The department shall notify the State Parks and Recreation Commission of any proposed development that may substantially impact the historical, cultural, or recreational significance of the Colonel Allensworth State Historic Park. Upon receipt of this notification, the commission shall hold a duly noticed public hearing to receive public input regarding the potential impacts of the proposed development of the park. Following the public hearing, the commission shall submit, in writing, to the department a summary of its conclusions on potential park impacts that may be caused by the proposed development for transmission by the department to the appropriate local government entities.

(b) The department, in consultation with the State Office of Historic Preservation, shall study the feasibility of recommending that Colonel Allensworth State Historic Park be considered for designation as a National Historic Landmark.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the necessity to ensure in perpetuity the unique historical, cultural, and recreational significance of Colonel Allensworth State Historic Park in Tulare County.